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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,977	03/26/2004	Edward Lopatinsky		7910

7590 06/05/2006
ROTYS INC.
5450 COMPLEX ST. # 313
SAN DIEGO, CA 92123

EXAMINER

PAPE, ZACHARY

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/809,977	Applicant(s) LOPATINSKY ET AL.	
	Examiner Zachary M. Pape	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6 and 7 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6,7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The following detailed action is in response to the correspondence dated 3/23/2006.

- The objection to the drawing with regards to claims 2 and 5 have been withdrawn in view of the cancellation of claims 2 and 5.
- The objection to the drawings for failing to show inlet (8) has been withdrawn in view of the amendments to the drawings.
- The objection to the drawings for reference character 14 being used to designate both outflow openings and heat exchanging means has been withdrawn in view of the amendment to the specification.
- The objection to the drawings for reference character 21 being used to designate both the stator and a heat sink has been withdrawn in view of the amendment to the drawings.
- The objections to the specification has been withdrawn in view of the presently filed amendments to the specification.
- The 112 rejection to claims 1-7 have been withdrawn in view of the amendments provided in the presently filed amendment.
- The Examiner thanks the applicant's for providing a timely and comprehensive amendment to the application to alleviate any objections/rejections.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. **Therefore, the electronic component of claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.**

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

DETAILED ACTION

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US 6,394,175) in view of Smith (US 5,890,373).

With respect to claim 1, Chen et al. teaches a cooler (100) for cooling of electronic components comprising at least two heat sinks (150, 170) thermally connected with each other by heat spreading means (130), said cooler (100) is thermally connected with said electronic component (110), wherein: each of said heat sinks comprising inflow and outflow openings (See present office action Fig 1 below), and thermally connected heat exchanging means (155, 170) and a base (115, and the bottom of fins 170); and a blower (160) located between said heat sinks. Chen et al. fails to teach a double inlet centrifugal blower comprising a casing with two inlets and an outlet, a radial impeller with an axle and an electric drive, said impeller comprising radial-blades located from both sides of an impeller disk, and that each of said outflow openings is coincided with said closest inlet, so cooling air flows through said inflow openings, said heat exchanging means, said outflow openings and said inlets of said blower in a series way. Smith teaches the conventionality of using a double inlet centrifugal blower (58) with two inlets and an outlet (As illustrated in Fig 6, the air enters

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the top and the bottom of 58), a radial impeller (Column 4, Lines 16-18) with an axle (As illustrated in Fig 6) and an electric drive (60), said impeller comprising radial-blades located from both sides of an impeller disk (As illustrated in Fig 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Smith with that of Chen et al. to provide an efficient and quiet blower to the device of Chen et al. (Smith: Column 4, Lines 24-26). With respect to the airflow direction, utilizing the blower of Smith with the cooler of Chen et al. would result in the outflow openings coinciding with the closest inlet so cooling air flows through the inflow openings, through the heat exchange means, through the outflow openings and into the inlets of the blower (See Fig 6 of Smith which illustrates that air flows into the top and the bottom of the blower such that the air would flow into the inflow openings of the cooler of Chen et al.).



With respect to claim 4, Chen et al. further teaches that the heat spreading means (130) are made as a high heat conductive plate (One of ordinary skill in the art would construct the heat spreading means (130) of a highly heat conductive plate. See Chen et al. Column 2, Lines 50-53.) located from one side of and perpendicularly to said bases (As illustrated in Fig 1).

With respect to claim 7, Chen et al. further teaches that the heat exchanging means are upstanding pins and/or fins contacting said base (As illustrated in Fig 1).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US 6,394,175) in view of Smith and further in view of Bhatti et al. (US 6,422,307).

With respect to claim 6, Chen et al. in view of Smith teaches the limitations of claim 4 above, but is silent as to the method of producing the heat sink. Bhatti et al. teaches the conventionality of producing a heat sink with a plate as a single whole using a casting, pressing, extruding, forging or by machining operations (Column 2, Lines 8-13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bhatti et al. with that of Chen et al. to produce heat sinks which facilitate good heat dissipation (Column 2, Lines 5-8).

Response to Arguments

4. Applicant's arguments with respect to claim 1 has been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

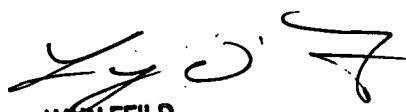
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ZMP


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